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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,827	05/11/2001	Alex Lang	4989-009	6461

7590   12/16/2004

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EXAMINER
HOFFMAN, BRANDON S

ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 May 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Specification

1.   The disclosure is objected to because of the following informalities:

* On page 5, paragraph 19, "deviceis" should be –device is–.

   Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by

Klemba et al. (U.S. Patent No. 6,123,456).

   Regarding claims 1, 13, and 23, Klemba et al. teaches a portable device

for engaging a host computing device comprising:

* A body (fig. 2, ref. num 12);

* A memory within the body containing (col. 2, lines 45-47):

   o Initial identification indicia to initially identify the portable device to

      the host computing device as a first device type in which a driver for

      the first device type is known to the host computing device (col. 10,

lines 43-49, without the policy, the CU provides simple capabilities,

such as card reading); and

- o Software instructions to subsequently identify the portable device

    as a cryptographic service provider to the host computing device

    and provide a driver for the cryptographic service provider to allow

    the host computing device to effectively interact with the portable

    device to provide cryptography services for applications running on

    the host computing system (col. 2, lines 53-54, col. 3, lines 2-4, and

    col. 3, lines 23-27); and

- • An interface associated with the memory and adapted to facilitate

    interaction with the host computing device (fig. 2, ref. num 20/28 and fig.

    3, ref. num 35/36),

    - o Wherein the host computing device will detect the portable device

        as being the first device type and subsequently configure itself to

        interact with the portable device to provide the cryptography

        services for the applications running on the host computing device

        (col. 2, lines 53-54, col. 3, lines 2-4/23-27, and col. 10, lines 43-49).

Regarding <u>claim 2</u>, <u>Klemba et al.</u> teaches wherein the memory further

contains service indicia providing instructions to provide a service corresponding

the second device type (col. 7, lines 14-15).

Regarding claims 3 and 14, Klemba et al. teaches wherein the service

indicia includes instructions for the host computing device to provide the service

for applications running on the host computing device (col. 3, lines 23-27).

Regarding claims 4 and 16, Klemba et al. teaches further comprising a

processing unit associated with said memory and wherein the service indicia

includes instructions for said processing unit to provide the cryptography service

for the host computing device (fig. 2, ref. num 26, col. 2, lines 53-54, and col. 3,

lines 12-14).

Regarding claim 5, Klemba et al. teaches wherein the configuration indicia

includes a file executable on the host computing device to reconfigure the host

computing device to recognize and interact with the portable device as the

second device type (col. 7, lines 14-15).

Regarding claim 6, Klemba et al. teaches wherein the memory further

contains an application to run on the host computing device (col. 2, lines 31-35).

Regarding claims 7 and 18, Klemba et al. teaches wherein the first device

type is a storage device (col. 10, lines 43-46).

Regarding claims 8 and 19, Klemba et al. teaches wherein the second

device type is a cryptographic service provider (col. 3, lines 1-14).

Regarding <u>claim 9</u>, <u>Klemba et al.</u> teaches wherein said memory further contains at least one of the group consisting of private cryptography key, public cryptography key, and cryptography algorithm (col. 3, lines 6-10).

Regarding <u>claim 10</u>, <u>Klemba et al.</u> teaches wherein the interface is one of the group consisting of electrical, optical, and radio frequency (col. 7, lines 25-34 and col. 9, lines 10-18).

Regarding <u>claims 11 and 20</u>, <u>Klemba et al.</u> teaches wherein the memory further contains deregistering indicia providing instructions for the host computing device to reconfigure the host computing device to a configuration state prior to interacting with the portable device (col. 7, lines 7-10).

Regarding <u>claims 12 and 21</u>, <u>Klemba et al.</u> teaches wherein the memory further contains cleansing indicia providing instructions for the host computing device to remove at least certain information from the host computing device indicative of use of the host computing device while associated with the portable device (col. 7, lines 7-10).

Regarding <u>claim 15</u>, <u>Klemba et al.</u> teaches wherein the instructions to provide the cryptography services are configured for running on the host computing device (col. 3, lines 15-27).

Regarding <u>claims 17 and 22</u>, <u>Klemba et al.</u> teaches a method comprising:

- Identifying a portable device to a host computing device as a first device type, which is known to the host computing device (col. 10, lines 43-46, without the policy, the CU provides simple capabilities, such as card reading);

- Registering the portable device with the host computing device as the first device type (col. 10, lines 46-49);

- Automatically identifying the portable device to the host computing device as a cryptographic service provider (Examiner believes it to be inherent that the portable device is automatically identified because the CU, which is illustrated as a PCMCIA card, is automatically detected by the host device upon insertion);

- Enabling the portable device as the cryptographic service provider with the host computing device based on information provided on the portable device (col. 2, lines 53-54 and col. 3, lines 2-4); and

- Providing cryptography services for applications running on the host computing device based on information provided by the portable device (col. 3, lines 23-27).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EMMANUEL L. MOISE
PRIMARY EXAMINER

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